

OCT 22 2012

U.S. DISTRICT COURT  
MID. DIST. TENN.

IN THE UNITED STATES DISTRICT COURT  
FOR THE Middle DISTRICT OF TENNESSEE  
\_\_\_\_\_  
DIVISION

Gene Nevils Name )

Prison Id. No. 2003018224 )

\_\_\_\_\_  
Name )

Prison Id. No. \_\_\_\_\_ )

Plaintiff(s) )

(List the names of all the plaintiffs  
filing this lawsuit. Do not use "et  
al." Attach additional sheets if  
necessary.)

Civil Action No. \_\_\_\_\_  
(To be assigned by the Clerk's  
office. Do not write in this space.)

Jury Trial ☐ Yes ☐ No

v. )

AL Nations Name )

Darren Barnes Name )

Defendant(s) )

(List the names of all defendants  
against whom you are filing this  
lawsuit. Do not use "et al." Attach  
additional sheets if necessary.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS  
FILED PURSUANT TO 42 U.S.C. § 1983

I. PREVIOUS LAWSUITS (The following information must be provided by each plaintiff.)

A. Have you or any of the other plaintiffs in this lawsuit filed any other lawsuits in the United States District Court for the Middle District of Tennessee, or in any other federal or state court?

☐ Yes

☒ No

B. If you checked the box marked "Yes" above, provide the following information:

1. Parties to the previous lawsuit:

Plaintiffs

N/A

Defendants

N/A

2. In what court did you file the previous lawsuit? N/A

(If you filed the lawsuit in federal court, provide the name of the District. If you filed the lawsuit in state court, provide the name of the state and the county.)

3. What was the case number of the previous lawsuit? N/A

4. What was the Judge's name to whom the case was assigned? N/A

5. When did you file the previous lawsuit? N/A (Provide the year, if you do not know the exact date.)

6. What was the result of the previous lawsuit? For example, was the case dismissed, appealed, or still pending? N/A

7. When was the previous lawsuit decided by the court? N/A (Provide the year, if you do not know the exact date.)

8. Did the circumstances of the prior lawsuit involve the same facts or circumstances that you are alleging in this lawsuit.

☐ Yes

☒ No

(If you have filed more than one prior lawsuit, list the additional lawsuit(s) on a separate sheet of paper, and provide the same information for the additional lawsuit(s).)

II. THE PLAINTIFF'S CURRENT PLACE OF CONFINEMENT (The following information must be provided by each plaintiff.)

A. What is the name and address of the prison or jail in which you are currently incarcerated? Williamson County Jail 408 Century Court Franklin TN 37064

B. Are the facts of your lawsuit related to your present confinement?

☒ Yes

☐ No

C. If you checked the box marked "No" in question II.B above, provide the name and address of the prison or jail to which the facts of this lawsuit pertain.

N/A

D. Do the facts of your lawsuit relate to your confinement in a Tennessee State Prison?

☐ Yes

☒ No

If you checked the box marked "No," proceed to question II.H.

Address of the first plaintiff: Williamson County Jail,  
408 Century Court  
Franklin, TN 37064

(Include the name of the institution and mailing address, including zip code.  
If you change your address you must notify the Court immediately.)

2. Name of second the plaintiff: N/A

Prison Id. No. of the second plaintiff: N/A

Address of the second plaintiff: N/A

(Include the name of the institution and mailing address, including zip code.  
If you change your address you must notify the Court immediately.)

If there are more than two plaintiffs, list their names, prison identification numbers, and addresses on a separate sheet of paper.

B. Defendant(s) against whom this lawsuit is being brought:

1. Name of the first defendant: AL Nations

Place of employment of the first defendant: General Sessions Court Judge

The first defendant's address: 135 4th Avenue South  
Franklin TN 37064

Named in official capacity? ☐ Yes ☒ No

Named in individual capacity" ☒ Yes ☐ No

2. Name of the second defendant: Darren Barnes

Place of employment of the second defendant: Franklin Police Department

The second defendant's address: 900 Columbia Avenue  
Franklin TN 37064

Named in official capacity? ☐ Yes ☒ No

Named in individual capacity" ☒ Yes ☐ No

If there are more than two defendants against whom you are bringing this lawsuit, you must list on a separate sheet of paper the name of each additional defendant, their place of employment, their address, and the capacity in which you are suing them. If you do not provide the names of such additional defendants, they will not be included in your lawsuit. If you do not provide their proper name, place of employment, and address, the Clerk will be unable to serve them should process issue.

B. Defendant(s) against whom this lawsuit is being brought:

3. Franklin Police Department - Defendant

900 Columbia Avenue, Franklin, TN 37064

Named in official capacity ☒ Yes

Named in individual capacity ☒ No

4. Keith Martin - Defendant

Franklin Police Department

900 Columbia Avenue, Franklin, TN 37064

Named in official capacity ☒ No

Named in individual capacity ☒ yes

5. Sergio Guerra

Franklin Police Department

900 Columbia Avenue, Franklin, TN 37064

Named in official capacity ☒ No

Named in individual capacity ☒ yes

E. If you checked the box marked "Yes" in question II.D above, have you presented these facts to the prison authorities through the state grievance procedure?

☐ Yes ☐ No

F. If you checked the box marked "Yes" in question II.E above:

1. What steps did you take? N/A

2. What was the response of prison authorities? N/A

G. If you checked the box marked "No" in question II.E above, explain why not. N/A

H. Do the facts of your lawsuit pertain to your confinement in a detention facility operated by city or county law enforcement agencies (for example, city or county jail, workhouse, etc.)?

☒ Yes ☐ No

I. If you checked the box marked "Yes" in question II.H above, have you presented these facts to the authorities who operate the detention facility?

☐ Yes ☒ No

J. If you checked the box marked "Yes" in question II.I above:

1. What steps did you take? N/A

2. What was the response of the authorities who run the detention facility? N/A

L. If you checked the box marked "No" in question II.I above, explain why not. It would have to be a federal offense for the jail to take apart of.

Attach copies of all grievance related materials including, at a minimum, a copy of the grievance you filed on each issue raised in this complaint, the prison's or jail's response to that grievance, and the result of any appeal you took from an initial denial of your grievance.

### III. PARTIES TO THIS LAWSUIT

A. Plaintiff(s) bringing this lawsuit:

1. Name of the first plaintiff: Gene Nevils

Prison Id. No. of the first plaintiff: 2003018224

#### IV. STATEMENT OF FACTS

State the relevant facts of your case as briefly as possible. Include the dates when the incidents or events occurred, where they occurred, and how each defendant was involved. Be sure to include the names of other persons involved and the dates and places of their involvement.

If you set forth more than one claim, number each claim separately and set forth each claim in a separate paragraph. Attach additional sheets, if necessary. Use 8 1/2 in. x 11 in. paper. Write on one side only, and leave a 1 in. margin on all four sides.

On March 16, 2012 Detective Darren Barnes along with Detective Keith Martin and Detective Sergio Guerra of the Franklin Police Department served a copy on One, Gene Nevils, at 216 Walnut Drive Franklin TN 37064. Contact was made with Annette Roberts outside the house in the driveway. Contact was made with Annette Roberts by Detective Darren Barnes in which he picked up Annette Roberts sweater off a sofa and a pill bottle fell out. Annette Roberts admitted that the pill bottle was hers and gave Det. Barnes consent to look inside the pill bottle which he found a hand rolled cigarette believed to be marijuana, a white powdery substance, believed to be cocaine, and pills. Detective Barnes gave Annette Roberts a citation and gave One, Gene Nevils drug charges for the pills only and gave One, Gene Nevils, marijuana and cocaine charges case # JCR 46388

On March 20, 2012, One went to General Sessions Court and my Public Defender James Pulido asked Det. Barnes if he gave One, Gene Nevils, drug charges and Det. Barnes said, "yes", despite the fact that Annette Roberts admitted to the pill bottle being hers. Judge Al Nations found probable cause and bound the case to the grand jury. One has the preliminary hearing transcript but it is grossly edited from the audio recording of the Preliminary Hearing.

On June 26, 2012, Annette Roberts went to General Sessions Court in front of Judge Denise Ance which she, Annette Roberts was given 11/29 probation for the pills, marijuana cigarette, and cocaine.

A few years back, One, Gene Nevils, had the same problem with the Franklin Police Department with a Det. Sergio Guerra in which time he set me up with a C.I. (Confidential Informant) to give me drugs, but One, Gene Nevils

#### V. RELIEF REQUESTED: Specify what relief you are requesting against each defendant.

- A. Al Nations - \$ 500,000
- B. Darren Barnes - \$ 1,500,000
- C. Franklin Police Department - \$ 1,500,000
- D. Detective Keith Martin - \$ 1,500,000
- E. Sergio Guerra - \$ 1,500,000

F. I request a jury trial ☒ Yes ☐ No

#### IV Statement Of Facts

had the case dismissed for an illegal stop.

On September 11, 2011, One, Gene Nevils, went back in front of AL Nations, Judge of General Sessions Court and the same officers of the Franklin Police Department Det. Sergio Guerra for a manufacture of controlled substance with a \$500,000 bond; however they couldn't prove what they said they came in my house for; Again Judge Al Nation bound my case over to the grand jury and these charges are still pending in Circuit Court. Because there was not evidence the bond was dropped to \$25,000.

VI. CERTIFICATION

I (we) certify under the penalty of perjury that the foregoing complaint is true to the best of my (our) information, knowledge and belief.

Signature: Gene Nevils Date: 10/18/2012

Prison Id. No. 2003018224

Address: Williamson County Jail c/o: Gene Nevils 408 Century  
Court Franklin, TN 37064  
(Include the city, state and zip code.)

Signature: Gene Nevils Date: 10/18/2012

Prison Id. No. 2003018224

Address: Williamson County Jail c/o: Gene Nevils 408 Century  
Court Franklin TN 37064  
(Include the city, state and zip code.)

ALL PLAINTIFFS MUST SIGN AND DATE THE COMPLAINT, and provide the information listed above. If there are more than two plaintiffs, attach a separate sheet of paper with their signatures, dates, prison identification numbers, and addresses.

ALL PLAINTIFFS MUST COMPLETE, SIGN, AND DATE SEPARATE APPLICATIONS TO PROCEED IN FORMA PAUPERIS, if not paying the civil filing fee.

SUBMIT THE COMPLAINT, THE REQUIRED FILING FEE, OR APPLICATION TO PROCEED IN FORMA PAUPERIS, TOGETHER. Complaints received without the required filing fee or application to proceed *in forma pauperis* will be returned. Filing fees, or applications to proceed *in forma pauperis*, received without a complaint will be returned.